

PATENT APPLICATION

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1/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 2947.06US01

Stark et al.

Confirmation No.: 5834

Application No.: 09/416,192

Examiner: G. E. Richman

Filed: October 11, 1999

Group Art Unit: 3764

For: SYSTEM FOR ORTHOPEDIC TREATMENT

PRELIMINARY AMENDMENT

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action of July 2, 2002, and in accordance with the automatic extension of time for response provided by 37 C.F.R. § 1.136(a), please consider the following remarks in conjunction with evaluation of the enclosed Request for Continued Examination.

REMARKS

Claims 11-17 and 25-37 are pending. All of the pending claims stand rejected. Applicants respectfully request reconsideration of the rejection based on the following comments.

Rejections Over Rivonelli et al.

The Examiner rejected claims 11-17 and 25-37 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,246,975 to Rivonelli et al. (the Rivonelli patent). In response to Applicants' previous arguments over the Rivonelli patent, the Examiner asserted that the claims